(3)

1.

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

Cr. M.P. No. 94 /2006

Applicant : Rampratap, S/o. Ramnandan, aged about 30 years. cast-Koeri, occupation-labour, R/o. Village Syahi P/s. Basantpur, Tahsil-Wadrafnagar, Distt. Sarguja (C.G.)

VERSUS

Non-Applicant :

1. Sangeeta, W/o. Rampratap, aged about 25 years. cast-koeri occupation-house wife.
2. Sanjay S/o. Rampratap, aged about 2 years.
3. Sunil, S/o. Rampratap, aged about 1 year, through minor non-applicant no. 2 and 3 their mother natural guardian applicant no. 1 R/o. Village-Syahi, P/s. Basantpur, Distt. Sarguja (C.G.)

4235/06
26/9/06
Filed on ..... Robert Mst.
by Advocate
26/9/06
R. to D. R. (J)

Application Under Section 482 of Criminal Procedure code –

XI-HC-78

22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.M.P. No. 94/2006 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

21.12.2006

Shri Rahul Mishra, counsel for the petitioner.

Heard.

Order passed as follows:

ORAL ORDER
(21.12.2006)

Sunil Kumar Sinha, J.

The petitioner has filed this petition under Section 482 of Cr.P.C., challenging the validity of order dated 1.8.2006 passed in Criminal Revision No. 4/2006 by the First Additional Sessions Judge (FTC), Ramanujganj, District- Sarguja (CG).

It appears that the aforesaid criminal revision was filed by the petitioner against the order dated 26.12.2005 passed in Misc. Case No. 137/2005 by the Judicial Magistrate First Class, Ramanujganj under Section 125 of Cr.P.C. By the said order, learned Magistrate had allowed the application filed by the respondents and has directed that the petitioner shall pay to respondent No.1 a sum of Rs.250/- per month as the amount of maintenance and he shall also pay sum of Rs.125/- and Rs.75/- per month to respondents No. 2 & 3 till they attain the age of majority.

The provisions of Section 125 of Cr.P.C. are enacted for social justice and especially to protect the women and children as also the old and infirm poor parents and falls within the constitutional sweep of Article 15 (3) reinforced by Article 39 of the Constitution. The provision gives effect to natural and fundamental duty of a

XI-HC-78

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

man to maintain his wife, children and parents so long as they are unable to maintain themselves.

It appears in the present case that the petitioner has been directed to pay this amount holding respondent No.1 as his wife and two other respondents as his minor children.

I do not find any irregularities in the orders impugned so as to warranting interference under Section 482 Cr.P.C.

The petition has no merits and the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

Nath

P.T.O.